

RECEIVED
CENTRAL FAX CENTER

SEP 30 2009

PATENT
Attorney Docket No. 101.0078-00000
Customer No. 22882

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)	
Gary K. Michelson, M.D.)	Confirmation No.: 5619
Serial No.: 09/593,591)	
Filed: June 13, 2000)	Group Art Unit: 3774
For: MANUFACTURED MAJOR LONG)	Examiner: Paul B. Prebilio
BONE RING IMPLANT SHAPED)	
TO CONFORM TO A PREPARED)	
INTERVERTEBRAL)	
IMPLANTATION SPACE)	

Mail Stop AMENDMENT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(c)

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(c), Applicant brings to the attention of the Examiner the documents listed on the attached PTO/SB/08. This Information Disclosure Statement is being filed after the events recited in Section 1.97(b), but, to the undersigned's knowledge, before the mailing date of either a Final Action or a Notice of Allowance. Under the provisions of 37 C.F.R. § 1.97(c), a fee of \$180.00 as specified by Section 1.17(p) is to be charged to Deposit Account No. 50-3726.

A copy of the listed non-U.S. Patent document is attached.

Applicant respectfully requests that the Examiner consider the listed documents and indicate that they were considered by making appropriate notations on the attached form.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." If the Examiner applies any of the documents as prior art against any claims in the application and applicant determines that the cited documents do not constitute "prior art" under United States law, applicant

10/01/2009 JVONGI 00000046 503726 09593591
02 FC:1806 180.00 DA

reserves the right to present to the office the relevant facts and law regarding the appropriate status of such documents.

Applicant further reserves the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.


If there is any fee due in connection with the filing of this Statement, please charge the fee to our Deposit Account No. 50-3726.

Respectfully submitted,

MARTIN & FERRARO, LLP

Date: September 30, 2009

By: _____


Amedeo F. Ferraro
Registration No. 37,129

1557 Lake O'Pines Street, NE
Hartville, Ohio 44632
Telephone: (310) 286-9800
Facsimile: (310) 286-2795